

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of J.S. and J.S., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SUSAN SWEETEN,

Respondent-Appellant.

UNPUBLISHED

April 15, 2003

No. 241720

Macomb Circuit Court

Family Division

LC No. 98-045956-NA

Before: Jansen, P.J., and Kelly and Fort Hood, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The children were brought into the court's custody in May 1998 following allegations that respondent had excessively sought medical treatment for each of the children and that symptoms alleged by respondent had not been witnessed by any other medical professional. Respondent was subsequently found to suffer from Munchausen Syndrome by Proxy, a disorder of deception where a parent lies about or knowingly misrepresents significant facts about a child's past or present medical history, leading to multiple medical investigations and treatments for an illness that is never substantiated. Respondent was also found to suffer from Munchausen Syndrome herself in which she complained to doctors of medical illness that did not respond to treatment and left the doctors to question the veracity of the complaints being made.

Though respondent substantially complied with her parent-agency agreement, concerns were raised at trial that she continued to suffer from Munchausen Syndrome and was very likely to re-engage in the Munchausen by Proxy Syndrome if the children were returned to her care. Respondent's counselor testified that, although respondent had made slow, steady progress in the two years he had counseled her, she would need long-term therapy in continuing to work on her issues. Dr. Shauna Tindall, a clinical psychologist specializing in pediatric psychology, who reviewed the instant file and interviewed respondent in 2001, for the purpose of evaluating the possibility of respondent's reunification with the children, concluded that respondent would require an additional three to five years of therapy before there would be a realistic chance of

change. Dr. Tindall cautioned that a premature reunification would be counterproductive to both respondent and the children, particularly in light of the children's special needs. The trial court entered an order terminating respondent's parental rights on April 19, 2001. Based on this and other evidence produced at trial, the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

Further, the evidence did not show that termination of respondent's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent's parental rights to the children.

Affirmed.

/s/ Kathleen Jansen
/s/ Kirsten Frank Kelly
/s/ Karen M. Fort Hood